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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,538	12/04/2003	Kazuhiro Tanaka	246324US3	5927
22850	7590	02/10/2006	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			PICO, ERIC E	
			ART UNIT	PAPER NUMBER
			3654	

DATE MAILED: 02/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/726,538	Applicant(s) TANAKA, KAZUHIRO	
	Examiner Eric Pico	Art Unit 3654	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 5-24 is/are pending in the application.
- 4a) Of the above claim(s) 3,4 and 25 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 5-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim(s) 1, 2, 9-11, 13, 14, 16, 17, and 20-24 is/are rejected under 35

U.S.C. 102(b) as being anticipated by Prince U.S. Patent No. 1864093.

3. **Regarding claim 1**, Prince discloses an elevator, comprising a passenger car 10 having a tail cord, referred to as a cable 12, extending therefrom

4. Prince further discloses an elevating space, referred to as hatchway 13, defined so as to encompass the passenger car 10 thereby allowing the passenger car 10 to move up and down therein.

5. Prince further discloses a tail-cord duct, referred to as chute 18, adjoining the elevating space 13, the tail-cord duct 18 having a tail-cord flexure space formed therein to extend along the elevating space 13 in a vertical direction thereof, the tail-cord flexure space accommodating the tail cord 12 therein so that the tail cord 12 extends from its free end on the side of the passenger car 10 up to a duct's side suspending position for suspending the tail cord 12 in a U-shaped manner, shown in Figure 1, the tail-cord duct 18 having an opening, referred to as slot 19, formed to extend along and open to the elevating space 13 in a vertical direction.

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6. Prince further discloses an arm part, referred to as pipe 21, fixed to the passenger car 10 so as to project therefrom toward the tail-cord duct 18, the arm part 21 having its leading end positioned in the tail-cord duct 18, wherein, in plan view of the elevator, the leading end of the arm part 21 is shifted from the opening of the tail-cord duct in a duct-width direction, shown at right angle bend 22, connecting one plan position of the duct's side suspending position with another plan position of the free end of the tail cord 12, and the free end of the tail cord 12 is carried by the leading end of the arm part 21.

7. **Regarding claim 2**, Prince further discloses the opening 19 is arranged apart from one end of the tail-cord duct 18 on the opposite side of the duct's side suspending position in the duct-width direction and also arranged close to the center of the tail-cord duct 18 in the duct-width direction, and the arm part 21 in the tail-cord duct is bent, due to right angle bend 22, toward either one of both ends of the tail-cord duct 18 in the duct-width direction.

8. **Regarding claim 9**, Prince further discloses an elevator comprising a passenger car 10, a transmission line, referred to as a cable 12, for transmitting signals to move the passenger car 10 up and down, through car switch 16, and a supporting member, referred to as pipe 21, arranged so as to project from the passenger car 10, the supporting member 21 allowing the transmission line 12 to be suspended therefrom in the vicinity of a leading end of the supporting member 21, thereby supporting the transmission line 21, wherein the supporting member 21 has its leading side arranged to extend into a designated space through an opening 19 formed in a structure, referred

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to as chute 18, for supporting the passenger car 10, and in plan view, a position for suspending the transmission line 12 is deviated from a first area interposed between inner walls, referred to as edges 20, on both sides of the opening 19 and a second area obtained by extending the first area along the supporting member 21.

9. **Regarding claim 10**, Prince further discloses an elevator comprising a passenger car 10 a transmission line, referred to as a cable 12, for transmitting signals to move the passenger car 10 up and down, through car switch 16, and a supporting member, referred to as pipe 21, arranged so as to project from the passenger car 10, the supporting member 21 allowing the transmission line 12 to be suspended therefrom in the vicinity of a leading end of the supporting member 21, thereby supporting the transmission line 12, wherein the supporting member 21 has its leading side arranged to extend into a designated space through an opening 19 formed in a structure, referred to as chute 18, for supporting the passenger car 10, and in view from the passenger car 10, the leading end of the supporting member 21 is positioned on the back side of a wall part forming the structure 18.

10. **Regarding claim 11**, Prince further discloses the wall part defining the designated space is substantial L-shaped in plan view, shown in Figures 2 and 3.

11. **Regarding claim 13 with respect to claims 9 or 10**, Prince further discloses the supporting member 21 is provided, at its leading end, with an auxiliary supporting member, shown as the portion of pipe 21 extending from right angle bend 22, which extends in a different direction from the extending direction of the supporting member

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21, for supporting the transmission line 12, and the transmission line 12 is suspended from the auxiliary supporting member.

12. **Regarding claim 14 with respect to claims 9 or 10**, Prince further discloses the supporting member 21 projects in a direction substantially perpendicular to an exterior surface of the passenger car 10, shown in Figures 2 and 3.

13. **Regarding claim 16 with respect to claims 9 or 10**, Prince further discloses the passenger car 10 is arranged outside the structure 18 thereby moving up and down outside the structure 18.

14. **Regarding claim 17 with respect to claims 9 or 10**, Prince further discloses the transmission line 12 is hidden by the structure 18, shown in Figures 1-3.

15. **Regarding claim 20**, Prince further discloses the transmission line 12 suspended from the auxiliary supporting member is arranged outside both an elevating space 13 for the passenger car 10 and an extension area of the elevating space 13 in the vertical direction.

16. **Regarding claim 21 with respect to claims 9 or 10**, Prince further discloses the transmission line 12 is adapted so as to transmit and receive designated signals to and from a control unit, referred to as car switch 16, for controlling the elevating movement of the passenger car 10.

17. **Regarding claim 22 with respect to claims 9 or 10**, Prince further discloses the opening 19 and the designated space are together formed along the elevating direction of the passenger car 10, shown in Figure 1.

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18. **Regarding claim 23 with respect to claims 9 or 10**, Prince further discloses the transmission line 12 is suspended from one side of the supporting member 21 and subsequently raised toward the upper part of the designated space, shown in Figure 1.

19. **Regarding claim 24 with respect to claims 9 or 10**, Prince further discloses the supporting member 21 and the auxiliary supporting member is a hollow member.

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim(s) 5 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Prince U.S. Patent No. 1864093 in view of Peterson U.S. Patent No. 2878048.

22. **Regarding claim 5**, Prince is silent concerning the opening is provided with brushes.

23. Peterson teaches providing novel brush seals for closures, which will readily permit relative movement between parts of a structure or mechanism and yet maintain a most effective seal to exclude air, moisture, dirt, etc., Column 1 Lines 34-39.

24. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the opening disclosed by Prince with brushes as taught by Peterson to maintain a most effective seal to exclude air, moisture, dirt, etc.

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25. Claim(s) 6, 7, and 15 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Prince U.S. Patent No. 1864093 in view of Watzke et al. U.S. Patent No. 6619435.

26. **Regarding claim 6 and 7**, Prince is silent concerning the arm part is provided with a through-hole, which a side anchoring wire, being a governor rope, passes.

27. Watzke et al. teaches through-hole, referred to as groove 40, provided which a side anchoring wire, being a governor, passes to guide a governor rope 18, Column 6, Lines 66 and 67.

28. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the arm part disclosed by Prince, at its part corresponding to the opening, with a through-hole which a side anchoring wire, being a governor rope, passes to guide a governor rope.

29. **Regarding claim 15 with respect to claims 9 or 10**, Prince is silent concerning the supporting member provided with a through-hole for passage of a rope.

30. Watzke et al. teaches a supporting member, referred to as base plate 31, provided with a through-hole, referred to as groove 40, for passage of a rope 18.

31. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the supporting member disclosed by Prince with a through-hole for passage of a rope as taught by Watzke et al. to guide a governor rope.

32. Claim(s) 8 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Prince U.S. Patent No. 1864093 in view of Mazer U.S. Patent No. 1952766.

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33. **Regarding claim 8**, Prince is silent concerning absorbing members provided on a wall part of the tail-cord duct.

34. Mazer teaches a sound-absorbing material which is highly elastic and flexible, so that it will yield under slight impacts such as those of sound waves, and which can be handled without damage and readily compressed or expanded to snugly fill designated wall spaces, Lines 8-13.

35. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide absorbing members taught by Mazer to a wall part of the tail-cord duct disclosed by Prince on its opposing faces defining the opening to reduce abnormal noise caused throughout the elevator system.

36. Claim(s) 12 and 18 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Prince U.S. Patent No. 1864093.

37. **Regarding claim 12 with respect to claims 9 or 10**, Prince is silent concerning opposing parts defining the opening being shaped to be plane.

38. It would have been obvious to one of ordinary skill in the art at the time of the invention to shape the opposing parts defining the opening disclosed by Prince into a planar shape or any other shape to select a known shape on the basis of its suitability for the intended use as a matter of obvious design choice.

39. **Regarding claim 18**, Prince is silent concerning the supporting member being longer than the auxiliary supporting member.

40. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the supporting member and/or the auxiliary supporting member

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disclosed by Prince any length to accommodate any space restrictions within the designated space.

41. Claim(s) 19 is/are rejected under 35 U.S.C. 103(a) as being unpatentable over Prince U.S. Patent No. 1864093 in view of Shima et al. U.S. Patent No. 4269380.

42. **Regarding claim 19**, Prince is silent concerning the transmission line being in the form of a tape.

43. Shima et al. teaches a transmission line 3 in the form of a tape.

44. It would have been obvious to one of ordinary skill in the art at the time of the invention to make the transmission cable disclosed by Prince in the form of a tape as taught by Shima et al. to avoid swing and sway of the cables.

Conclusion

45. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Magnuson U.S. Patent No. 1145914, Hall U.S. Patent No. 1810960, Kinnard U.S. Patent No. 1822153, Morrison U.S. Patent No. 2017372, Connelly et al. U.S. Patent No. 3344888, Smith U.S. Patent No. 3430733, Mullis U.S. Patent No. 4058186, Eidschun U.S. Patent No. 4457515, McCallum U.S. Patent No. 5080199, Namba et al. U.S. Patent No. 6223860, Tiner U.S. Patent No. 6786306.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Pico whose telephone number is 571-272-5589. The examiner can normally be reached on 6:30AM - 3:00PM M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Katherine Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EEP

A handwritten signature in black ink that reads "Kathy Matecki". The signature is written in a cursive, flowing style.

**KATHY MATECKI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600**